

**INTERAGENCY MEMORANDUM OF UNDERSTANDING**

This Interagency Memorandum of Understanding (MOU) is by and between the Texas Juvenile Justice Department (“TJJD”) and the Texas Department of Family and Protective Services (“DFPS”) (each a “party” and collectively, the “parties”).

Whereas, the 84<sup>th</sup> Texas Legislature passed and the Governor signed Senate Bill 206, relating to the continuation and functions of DFPS;

Whereas, Senate Bill 206 added section 58.0053 to the Texas Family Code, effective September 1, 2015; and

Whereas, Texas Family Code section 58.0053(a) requires a juvenile probation officer, upon request of DFPS, to disclose to DFPS the terms of probation of a child in DFPS's conservatorship; and

Whereas, Texas Family Code section 58.0053(d) requires TJJD and DFPS to enter into a memorandum of understanding to adopt procedures for handling information requests made under section 58.0053(a);

The parties agree as follows:

1. DFPS Requests for Information

- a. DFPS shall direct requests for information concerning a child in DFPS's conservatorship (“information requests”) to the juvenile probation officer for the child or other person designated by the juvenile probation department supervising the child.
- b. DFPS shall provide the juvenile probation department supervising the child with the name of the child's case manager or other person responsible for care of the child upon learning the child is under supervision of the juvenile probation department.
- c. Each information request shall:
  - i. State the name, date of birth, social security number, and DFPS case or unique identifying number of the child whose terms of probation are requested;
  - ii. State the name, telephone number, email address, and mailing address of the DFPS caseworker making the information request; and
  - iii. Include a statement certifying that the child is in DFPS's conservatorship.
- d. DFPS and TJJD shall cooperate to develop a form for submission of information requests and DFPS shall use this form for all information requests submitted to juvenile probation officers and juvenile probation departments.

2. Guidance and Standards for Juvenile Probation Officers and Departments

- a. TJJD shall require juvenile probation departments to:

- i. Provide DFPS the name of a designated person or the juvenile probation or supervision officer assigned to a child who is in DFPS conservatorship and under the supervision of the probation department, when the juvenile probation department learns DFPS is the managing conservator for the child; and
  - ii. Comply with information requests by promptly providing the requested information as required by Texas Family Code sections, 58.0053.
  - iii. Develop procedures for responding to requests for information from DFPS.
- b. TJJD will provide training and other technical assistance to juvenile probation departments concerning compliance with Texas Family Code sections and 58.0051, 58.0052, and 58.0053; and
- c. TJJD will provide assistance with resolving issues concerning juvenile probation department responses to requests for information by DFPS.

### 3. General Terms

- a. This MOU shall become effective upon execution by the parties and remain in effect until Texas Family Code section 58.0053 is repealed, superseded by subsequent legislation, or amended to no longer require this MOU.
- b. This MOU may only be amended in a writing signed by the authorized representatives of the parties and expressly made a part of this MOU.
- c. By signing below, the signatories represent that they are duly authorized representatives of their respective parties and have the authority to bind their respective parties to the terms of this MOU.

For TJJD by:

Chelsea B. E. for D. Reilly

David Reilly  
Executive Director

2/9/16  
Date

For DFPS by:

[Signature]  
John J. Specia, Jr.  
Commissioner

1/5/16  
Date